

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

IN THE MATTER OF THE EXTRADITION

OF: FRANCISCO MARTIN, a.k.a

FRANCISCO MARTIN MARTIN, a.k.a

JHONNY DE JESUS MARTIN MARTIN, a.k.a

"PANCHO" a.k.a "PANCHO MARTIN"

No. 2:13-CV-00467-GMN-CWH

ORDER

The Court having received the Complaint filed on March 20, 2013, by Eric Johnson, Assistant United States Attorney for the District of Nevada, for and on behalf of the Government of Mexico, pursuant to the request of the Government of Mexico, for extradition of FRANCISCO MARTIN, a.k.a FRANCISCO MARTIN MARTIN, a.k.a JHONNY DE JESUS MARTIN MARTIN, a.k.a "PANCHO", a.k.a "PANCHO MARTIN", and an affidavit executed by FRANCISCO MARTIN, and witnessed by his attorney;

And, further, the Court having been advised in open session that: FRANCISCO MARTIN is currently incarcerated in the custody of the State of Nevada, Department of Corrections as a result of his conviction on state charges; he is also a fugitive sought by the Government of Mexico; that he is aware that the Government of Mexico has issued an arrest warrant for him charging aggravated homicide and possession of illegal weapons and instruments; he is also aware that the Government of Mexico has initiated extradition proceedings pursuant to the extradition treaty in force between the Government of the United States and the Government of Mexico, and Title 18, Unites States Code, section 3184 *et seq.*; he is also aware that the Government of Mexico may seek his temporary surrender pursuant to the terms of Article 15(2) of the extradition treaty, as amended by the 1997 protocol; that he has reviewed the Complaint filed by the United States

1 Attorney for this judicial district; that he has been fully advised of his rights in this Country
2 pursuant to the extradition treaty in force between the Government of the United States and the
3 Government of Mexico and Title 18 United States Code, Section 3184 *et seq.*; and that he has
4 knowingly and voluntarily waived those rights;

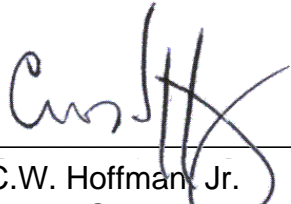
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6 IT IS THEREFORE ORDERED that FRANCISCO MARTIN be returned to continue his
7 Nevada sentence at Nevada High Desert State Prison until such time as Mexican Government
8 authorities arrange with the United States Marshal of the District of Nevada to deliver him into
9 the custody of the Mexican Government. Prior to the arrival of the authorized representatives of
10 the Government of Mexico, FRANCISCO MARTIN will be released by Nevada High Desert
11 State Prison on the request of the United States Marshal and committed to the custody of the
12 United States Marshal of the District of Nevada. On the arrival of the duly authorized
13 representatives of the Government of Mexico, the United States Marshal shall deliver
14 FRANCISCO MARTIN, together with any evidence seized incidental to his arrest and sought by
15 the Government of Mexico, to the custody of such authorized representatives to be transported by
16 Mexican authorities to be held for trial or other disposition, provided that commitment to the
17 custody of the Marshals under this order shall occur at such time as the fugitive's surrender to the
18 Government of Mexico is called for by the provisions of Article 15 of the extradition treaty, as
19 amended by the 1997 protocol; and
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23 IT IS FURTHER ORDERED that the transfer of physical custody of FRANCISCO
24 MARTIN, together with any evidence seized, shall be at such time and place as mutually agreed
25 upon by the United States Marshal for the District of Nevada and the duly authorized
26 representatives of the Government of Mexico.

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28 The Clerk of the Court is directed to forward certified copies of this Order and executed

1 Affidavit of Waiver to the Director of the Office of International Affairs, Criminal Division,
2 Department of Justice, in Washington, D.C., the United States Attorney's Office for the District
3 of Nevada, and Nevada High Desert State Prison.

4 SO ORDERED this 30th day of May, 2013.

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8 C.W. Hoffman, Jr.
9 United States Magistrate Judge
District of Nevada
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